

Big business demands back-to-work legislation on Canadian docks

Carl Bronski

7 November 2024

With the lockout of dock foremen on Canada's Pacific Coast entering its fifth day and the partial strike of longshoremen in Montreal now in its ninth day, big business interests, political officials and their mouthpieces in the country's mainstream press are clamouring once again for government intervention to end the contract disputes and force pro-company binding arbitration on the port workers.

The two disputes, characterized by the intransigence of the port employers on key worker demands, have resulted in the complete shutdown at the country's largest port in Vancouver and its third largest at Prince Rupert, as well as the docks in Victoria and Nanaimo and a partial shutdown in Montreal.

In Montreal, Canada's second-largest port, a partial strike of around 300 out of the 1,150 workers, who would all gladly walk off the job were it not for the efforts of the Canadian Union of Public Employees (CUPE) bureaucracy to sabotage their fight, has already stopped 40 percent of all East Coast container traffic. Other shipments have been delayed or redirected due to growing bottlenecks from an overtime ban by those workers forced by the union to stay on the job. In both disputes, the employers' associations have stonewalled contract talks for many months.

On Thursday, the Montreal Port Authority called on Prime Minister Justin Trudeau to end the strike with a government-dictated settlement. Jasmin Guenette, the national vice president of the Canadian Federation of Independent Business, has also demanded government intervention to break the Montreal job actions. "It's time the federal government made ports an essential service, so that they remain operational at all times," he said. The employers association on the docks has also referred their judicial request for termination of strike activity to the federal courts.

In Alberta, hard-right Premier Danielle Smith called on the federal Liberals to "urgently intervene with binding arbitration" in the British Columbia shutdown. Saskatchewan Premier Scott Moe urged Ottawa to take "decisive action." Karen Proud, the president of Fertilizer Canada, demanded that essential service designations be placed on ports, while the Chemical Industry Association declared the need for a quick resolution of the dispute in BC.

Workers have seen this playbook before. In dispute after

dispute, whether it be strike action or employer lockouts meant to hasten back-to-work legislation, the so-called "right to free collective bargaining" has become meaningless wherever a labour dispute disrupts the ever ruthless profit drive of the corporations or the budget cutting programs of the provincial and federal governments of every political stripe. And whether the "resolution" of these disputes is accomplished by the mere threat of imminent government intervention or the actual criminalization of strike activity, the union leaders will, after sputtering their perfunctory denunciations, bow meekly to the demands of the ruling class.

In July, the government intervened in a WestJet airline mechanics strike to end the action and finalize a contract before binding arbitration could be imposed. When a lockout/strike involving over 9,000 workers brought traffic to a halt in August at the two major Canadian railway networks—Canadian Pacific Kansas City and Canadian National—Labour Minister Steven MacKinnon stepped in to enforce a government-dictated settlement.

Already, the same strategy is at work to quash a brewing national strike by 55,000 Canada Post workers, who could be powerful allies of the striking dockworkers. The Trudeau Liberal government has a record of crushing postal worker opposition, having outlawed their strike in 2018.

As longshore workers undoubtedly know all too well, the strike by CUPE Montreal dockworkers in 2021 was quickly criminalized by the trade union-backed Liberals after four days with no resolution of worker grievances. Subsequent binding arbitration resulted in a contract with below-inflation pay increases that maintained the back-breaking scheduling and ruthless disciplinary regime at the port. On the St. Lawrence Seaway in 2023, the government used the threat of back-to-work legislation against striking navigation and infrastructure workers to force through an inferior contract.

On the Pacific Coast, a courageous 13-day strike in 2023 by over 7,000 longshoremen following on from their strong rejection of a government-dictated sellout agreement, ended in the wake of a threatened government intervention to break the strike. Under duress, 74 percent of workers who cast a ballot voted to accept essentially the same miserable terms from the contract that had earlier been overwhelmingly rejected.

In the current disputes, about 730 dock foremen are demanding the port owners negotiate over the implementation of automation processes so as to safeguard job security. On this matter, the British Columbia Maritime Employers Association (BCMEA) has refused all discussion. In order to gain the initiative, the employers locked out the foremen on Monday after the International Longshore and Warehouse Union (ILWU) officials sought to hold back worker all-out strike demands by calling for an overtime ban.

The lockout of the foremen has shut down all container cargo activity at the Pacific Coast ports. The move by the employers is meant to more quickly force federal legislation for binding arbitration with the BCMEA not scheduling any more negotiations and insisting that they have already made their last and final offer.

At the Port of Montreal, the employers are demanding relief from ever more onerous work processes and shift scheduling that are already destroying any semblance of work-life balance amongst the workforce. They are also demanding wage parity with longshoremen in Halifax, Nova Scotia and on the West Coast. About 320 workers at two docks operated by the largest cargo company, Tremont, began an indefinite strike last week while the remaining 900 longshoremen continue an overtime ban. As all this is occurring, some 80 Quebec City longshore workers have been locked out for over two years as scabs continue to perform their jobs.

On the West Coast and in Montreal, shipping companies have begun to re-route their cargoes to ports in Seattle, Oakland and Los Angeles and to Halifax and Boston on the East Coast, showing the international integration of the global logistics companies' supply chains. Their strategy underlines the necessity for longshore workers—and workers in general—to unite internationally in their struggles against the corporations. Just last month in the United States, 45,000 longshore workers in 36 ports from Maine to Texas with the International Longshoreman's Association (ILA) struck for three days in the face of opposition from the Biden administration, big business and state governments.

No calls were made on either side of the border by the ILWU, “international” in name only, to unite the struggles of North American dockworkers in joint action. Quickly acceding to demands to wrap up the strike to ensure the flow of weapons to the US-led war on Russia and Israel's genocide against the Palestinians, the ILA union bureaucracy in the US scuttled the strike even though the full contract had not yet been negotiated.

Workers must urgently unite with their class brothers and sisters internationally in joint struggles against the global corporations. To do so, they need to cut through the straitjacket imposed by the Canadian state in concert with the unions through the “collective bargaining process.” While they assert that it levels the playing field between worker and employer, the reality is that the treacherous union bureaucracies represent social interests that are hostile to those of the workers

they claim to represent, which is why they act as the junior partners of the corporations to suppress increasingly explosive worker opposition to the employers' attacks.

Thus the “collective bargaining process” is rife with every imaginable hoop and hurdle to contain the class struggle. Provincial and federal labour codes impose all manner of impediments from endless conciliation requirements with government appointed arbitrators, “cooling off” periods, Industrial Relations Board adjudications, the illegalization of wildcat job actions in standardized labour contracts, fines, legal deployment of scabs, and, when all else fails, back-to-work legislation and/or enforced binding arbitration. In effect, quasi-dictatorial powers are activated to guarantee the profits of the corporations over the rights of the working class whenever needed.

The union bureaucracies' decisive role in suppressing the class struggle finds expression in the Liberal/union/New Democratic Party alliance. Union bureaucrats work tirelessly to strengthen the ruling elite's preferred party of government as it wages war against Russia, defends Israel's genocide of the Palestinians, and implements sweeping austerity to fund a massive military rearmament campaign and the enrichment of the wealthy.

But despite this, increasingly favourable conditions exist for dockworkers in BC and Quebec to defeat these attacks if they make their struggles the spearhead of a mass political struggle of the working class against capitalist austerity and war, and for decent-paying secure jobs and well-funded public services for all. A critical element in this fight is unifying the struggles on the West Coast and at the Port of Montreal with dockworkers in the United States and Mexico. Dockers should appeal to their class brothers and sisters to refuse to handle scab cargo, and join their struggle, which is being waged over many of the same issues confronted by dockers around the world and against many of the same global shipping giants.

To do this, workers must build independent organs of class struggle, rank-and-file committees in all workplaces that are independent of the union apparatus, and prepare an offensive against the profit system, which is at the root of war, social inequality and the growing attacks on democratic rights.



To contact the WSWs and the Socialist Equality Party visit:

wsws.org/contact